

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, et al.,

Plaintiffs,

vs.

Case No. 05-CV-00329-GKF SAJ

TYSON FOODS, INC., et al.,

Defendants.

VIDEO DEPOSITION OF TIM BRACKEN
TAKEN ON BEHALF OF THE DEFENDANTS
ON APRIL 10, 2009, BEGINNING AT 1:03 P.M.
IN TULSA, OKLAHOMA

APPEARANCES

On behalf of the PLAINTIFFS:

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RIGGS, ABNEY, NEAL, TURPEN,
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REPORTED BY: SUSAN K. MCGUIRE, CSR, RPR

TIM BRACKEN

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1 APPEARANCES CONTINUED:

2 On behalf of the DEFENDANT PETERSON FARMS, INC:

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6 On behalf of the DEFENDANT GEORGE'S INC.

7 and GEORGE'S FARMS, INC.:

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11 On behalf of the DEFENDANT CARGILL, INC.

12 and CARGILL TURKEY PRODUCTION:

13 Mr. Todd P. Walker

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1 TIM BRACKEN

2 after having been first duly sworn, deposes and says
3 in reply to the questions propounded as follows,
4 to-wit:

5 DIRECT EXAMINATION

6 BY MR. WALKER:

7 Q. Sergeant Bracken, I'm Todd Walker. I'm with
8 Faegre and Benson representing the Cargill defendants.
9 We met just a moment ago. Would you please state your
10 name for the record?

11 A. Yes it's Tim Bracken, B-R-A-C-K-E-N.

12 Q. I understand you are a Sergeant with the
13 Tulsa Police Department?

14 A. I am.

15 Q. Okay. Sergeant Bracken, have you been
16 deposed before?

17 A. Yes, I have.

18 Q. Many times?

19 A. Maybe three or four.

20 Q. Okay. How long ago was the most recent
21 deposition you've given?

22 A. Maybe three years ago, two or three years
23 ago. It was a wrongful death that I investigated as a
24 police officer.

25 Q. Perhaps as a matter of review and to refresh

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1 Q. Did the State ask you to inventory any
2 recreational water activities that were occurring in
3 the IRW?

4 A. No.

5 Q. Did the State ask you to document the
6 locations and activity of any septic systems in the
7 IRW?

8 A. No.

9 Q. Did they ask you to document commercial
10 fertilizer use in the IRW?

11 A. No.

12 Q. Based on your knowledge of the law, and I'm
13 not purporting in this question to suggest that you
14 know all the laws of the state of Oklahoma, but based
15 on your knowledge of the laws of the State of
16 Oklahoma, during the course of your investigative
17 activities did you see any violations of law?

18 A. No.

19 Q. Did you report any of the activities that
20 you saw during the course of your investigation to any
21 State agency?

22 A. No.

23 Q. Did you report any activities to law
24 enforcement?

25 A. No.